

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
)
ANDRONIKI (NIKI) BROWNE,)

)
Plaintiff,)

)
-against-)

)
THE CITY OF NEW YORK; THE NEW YORK CITY)
EMPLOYEES RETIREMENT SYSTEM;)
the BOARD OF TRUSTEES OF THE NEW YORK)
CITY EMPLOYEES RETIREMENT SYSTEM;)
DIANE D'ALESANDRO; and MILTON ARON)

)
Defendants.)
-----X

WAIVER OF SERVICE
OF SUMMONS

08 Civ. 4993 (MGC)

TO: DIANE D'ALESANDRO
NYCERS Executive Director
335 Adams Street, Suite 2300
Brooklyn, New York 11201

I have received your request to waive service of a summons in this action along with a copy, a prepaid means of returning one signed copy of the form to you, the Individual Rules of Judge Cedarbaum, and a copy of the SDNY ECF Instructions, Procedures, and Guidelines for Electronic Case Filing.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from July 11, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so,

a default judgment will be entered against me or the entity I represent.

Date: New York NY
July 24, 2008



SIGNATURE

PAUL MARKS, Assistant Corporation
Counsel
Printed/Typed Name

as Attorney for defendant
Diane D'Alosandro - in
her official capacity only
of The complaint does not
name her in her individual
capacity

July 24, 2008